

MINUTES OF MEETING
HEALTH SERVICES COUNCIL

DATE: 6 April 2010

TIME: 2:30 PM

LOCATION: Conference Room 401

ATTENDANCE:

Council: **Present:** Victoria Almeida, Esq., (Vice Chair), John X. Donahue, Joseph L. Dowling, M.D., John W. Flynn, Wallace Gernt, Catherine E. Graziano, R.N., Ph.D., Robert Hamel, R.N., Theresa Jeremiah, Amy Lapierre, Steven Lonardo, Thomas M. Madden, Esq., Daniel Orgel, Robert J. Quigley, D.C (Chair), Reverend David Shire (Secretary)

Excused: Raymond C. Coia, Esq., Gary J. Gaube, Denise Panichas,

Not Present: Maria Gil, Robert Ricci, Robert Whiteside

Staff: Valentina D. Adamova, MBA, Michael K. Dexter, MPA, Joseph G. Miller, Esq., Michael Varadian, JD, MBA

Public: (Attached)

1. Call to Order, Approval of Minutes, Conflict of Interest Forms and Time Extension for the Minutes Availability.

The meeting was called to order at 2:45 PM. Minutes of the Health Services Council meeting of 15 December 2009 were adopted as submitted. The Chair noted that conflict of interest forms are available to any member who may have a conflict. A motion was made, seconded and passed by a vote of thirteen in favor and none opposed (13-0) that the availability of the minutes for this meeting be extended beyond the time frame provided for under the Open Meetings Act. Those members voting in favor were: Almeida, Donahue, Dowling, Gernt, Graziano, Hamel, Jeremiah, Lapierre, Lonardo, Madden, Orgel, Quigley, Shire.

The Chair introduced two new members of the Health Services Council: Daniel Orgel and Theresa Jeremiah.

The report of the Nominating Committee of the Health Services Council was presented by the Chair of the Nominating Committee, Sen. Graziano. Robert J. Quigley, DC, was nominated for Chair, Victoria M. Almeida, Esq. was nominated for Vice Chair, and Reverend David F. Shire was nominated for Secretary. The elections will be held at the next meeting.

2. General Order of Business

The first item on the agenda was the *Report of the Committee of the Health Services Council on the application for change in effective control of **Vital Care of Rhode Island, Inc.** a Home Nursing Care Provider Agency in Lincoln.* Staff summarized the application and the deliberations of the Committee on this matter.

A motion was made by Rev. Shire, seconded and passed by a vote of fourteen in favor, and none opposed (14-0) to recommend that the application be approved subject to the conditions of approval. Those members voting in favor were: Almeida, Donahue, Dowling, Flynn, Gernt, Graziano, Hamel, Jeremiah, Lapierre, Lonardo, Madden, Orgel, Quigley, Shire.

The next item on the agenda was the *Report of the Committee of the Health Services Council on the application of **United Cerebral Palsy of Rhode Island, Inc. d/b/a Life Without Limits Home Health Care** for initial licensure as a Home Care Provider Agency in Pawtucket.* Staff summarized the application and the deliberations of the Committee on this matter.

A motion was made by Ms. Almeida, seconded and passed by a vote of fourteen in favor, and none opposed (14-0) to recommend that the application be approved subject to the conditions of approval. Those members voting in favor were: Almeida, Donahue, Dowling, Flynn, Gernt, Graziano, Hamel, Jeremiah, Lapierre, Lonardo, Madden, Orgel, Quigley, Shire.

The next item on the agenda was the *Addendum to the Report of the Health Services Council on the application of **American Senior Living Communities RI I, LLC** for change in effective control of Mt. Saint Francis Health Center in Woonsocket.* Staff summarized the application and the deliberations of the Committee on this matter.

A motion was made by Mr. Madden, seconded and passed by a vote of fourteen in favor, and none opposed (14-0) to recommend that the application be approved subject to the conditions of approval. Those members voting in favor were: Almeida, Donahue, Dowling, Flynn, Gernt, Graziano, Hamel, Jeremiah, Lapierre, Lonardo, Madden, Orgel, Quigley, Shire..

The next item on the agenda was the *Report of the Committee of the Health Services Council on the application of **Kent County Memorial Hospital** for Certificate of Need to establish an ambulatory surgical center on the hospital campus and add a ten bed short stay unit.* Staff summarized the application and the deliberations of the Committee on this matter. Staff noted the amendments to condition of approval proposed by the applicant.

The Chair requested that staff undertake efforts to outreach to providers to ensure cost impact reports are submitted to the Health Services Council. Mr. Donahue encouraged a broader interpretation of cost impact statement, more narrative than formulistic. Ms. Almeida noted that the format of the cost reports has to be meaningful.

The Council discussed the issue of the developer, and the \$700,000 management fee which included a pay for performance incentive of \$245,000. Ms. Lapierre noted that the number of ORs requested exceed the recommendations of Department's consultant, Mr. Zimmeman. The Council discussed remanding this application back to the Committee for further review or postponing action until the next Health Services Council meeting.

A motion was made by Ms. Almeida to reconvene the meeting on this application at the next Health Services Council meeting on April 27th. Mr. Gernt seconded that motion. After further Council discussion, the motion and second were withdrawn.

A motion was made by Ms. Almeida, and seconded to recommend that the application be approved subject to the amended conditions of approval. Mr. Flynn noted his concern over payments to physicians in this economy. Ms. Lapierre noted her concern over the excess OR capacity. The motion passed by a vote of six in favor, five opposed, one recusal and one abstention (6-5-1-1). Those members voting in favor were: Almeida, Dowling, Hamel, Jeremiah, Quigley, Shire. Those opposed were: Donahue, Flynn, Gernt, Graziano, Lapierre. Mr. Lonardo recused. Mr. Orgel abstained.

3. Adjournment

There being no further business, the meeting was adjourned at 4:20 PM.

Respectfully submitted,

Valentina D. Adamova, MBA
Health Economics Specialist